

UNITED STATES DISTRICT COURT

U.S. DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
FILEDfor the
Eastern District of Wisconsin

2018 SEP - 7 A 8: 55

KENYATTA SOBEASR CLINCY

Plaintiff

STEPHEN C. DRIES
PETROPOULOS, et al

Defendant

Civil Action No. 18-CV-1093

U.S. MARSHAL
MILWAUKEE, WI

WAIVER OF THE SERVICE OF SUMMONS

To: KENYATTA SOBEASR CLINCY
(Name of the plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 10/19/2018, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: 11/19/2018

Signature of the attorney or unrepresented party

Gust Petropoulos

Printed name of party waiving service of summons

Naomi E. Gehling

Printed name

200 E. Wells Street, Suite 800
Milwaukee, WI 53202

Address

ngehli@milwaukee.gov

E-mail address

(414) 286-2621

Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF KENYATTA SOBEASR CLINCY	2018 SEP -7 A 8:55 U.S. MARSHAL MILWAUKEE, WI	COURT CASE NUMBER 18-CV-1093
DEFENDANT PETROPOULOS, et al	TYPE OF PROCESS Notice, Waiver, Order, Complaint	
SERVE → AT	NAME OF INDIVIDUAL COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Gust Petropoulos ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) Detective, Milwaukee Police Department, 3rd District	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:	Number of process to be served with this Form - 285	
Kenyatta Sobeasr Clincy 163887 Kettle Moraine Correctional Institution Inmate Mail/Parcels PO Box 282 Plymouth, WI 53073-0282	Number of parties to be served in this case	
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE *(Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):*

Signature of Attorney or other Originator requesting service on behalf of: KENYATTA SOBEASR CLINCY	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER 	DATE 8/31/2018
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY – DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. <i>(Sign only first USM 285 if more than one USM 285 is submitted)</i>	Total Process 1	District of Origin No. 89	District to Serve No. 89	Signature of Authorized USMS Deputy or Clerk Heather Vaccaro	Date 09/26/2018
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above *(See remarks below)*

Name and title of individual served <i>(if not shown above)</i>	<input type="checkbox"/> A person of suitable age and discretion then residing in the defendant's usual place of abode.	
Address <i>(complete only if different than shown above)</i>	Date of Service	Time am pm
	Signature of U.S. Marshal or Deputy	

Service Fee	Total Mileage Charges <i>(Including endeavors)</i>	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
0	0	\$8.00	\$8.00	0	\$8.00	0

REMARKS: **26 September 2018 - mailed to Δ**
11 October 2018 - packet returned to sender; Δ is retired; no longer with MPD
19 October 2018 - re-mailed to home address

23 November 2018 - Waiver of Service received by USMS

FORM-USM-285 (Rev. 12/15/80)

1. CLERK OF THE COURT 2. USMS RECORD 3. NOTICE OF SERVICE 4. ACKNOWLEDGMENT OF RECEIPT